

REMARKS

Claims 21-27 are pending in this application. Reconsideration of the rejection in view of the above amendments and the following remarks is respectfully requested.

I. CLAIM REJECTIONS UNDER 35 U.S.C. 112

Claims 27 has been amended to correct the cited lack of antecedent basis and is now believed to be in condition for allowance.

II. THE CLAIMS ARE PATENTABLE OVER KHOSHEVIS, U.S. PATENT NO. 5,656,230

Claims 21-25 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,656,230 to Khoshevis (hereinafter "Khoshevis"). This rejection is respectfully traversed.

Claim 21 have been amended to clarify the patentable distinction between the present invention and Khoshevis. Khoshevis does not teach or disclose hardening the fiber as it is extruded. The extrusion in Khoshevis must be malleable to allow a side trowel to provide the desired shape ("The fabrication apparatus may be produced with only one trowel, a side trowel which provides the desired shape, smoothness and accuracy for the side surface of the rim" Column 5, Lines 49-52). If the extruded material was not malleable, the side trowel could not provide the desired shape. Khoshevis does not teach any embodiment that does not use at least one trowel. The present invention cures the fiber reinforced resin as it is extruded, and the shape of the desired part is generated by the movement of the extrusion head. The present invention uses no trowels. The trowels described by Khoshevis act as a moving mold

that shapes and forms the part. The present invention renders this type of containment unnecessary.

Khoshevis is forced much like the prior art to build upon contiguous sequential layers because the resin that is extruded must be formed into its finished shape. The distinction between the prior art and the present invention is that the material is extruded in the present invention into its final shape. As described in Paragraph 51 of the present invention, "the material remains in position at the point of extrusion, supported only by its own rigidity and by the previously extruded material adjacent to it". While Khoshevis does teach solidifying the material using a variety of means including ultraviolet radiation, Khoshevis necessarily teaches this occurring after the shape of the material has been formed using the trowels described. Khoshevis teaches away from the present invention by using the trowels to form the shape of the desired part.

Thus, nothing in Khoshevis discloses, teaches, or suggests the novel method of hardening a fiber reinforced resin as it is extruded using a curing radiation. Whereas the present invention uses the movement of the extrusion head to create the shape of the desired part, Khoshevis expressly teaches only using trowels in connection with the extrusion head to form the shape of the desired part.

Claims 26 and 27 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Khoshevis. Applicant submits for the reasons submitted above that Khoshevis does not teach the claimed process.

For at least the reasons set forth above, Applicants respectfully submit that Khoshevis fails to disclose, teach, or suggest the invention as claimed by Applicants.

Applicants respectfully request that the Examiner reconsider, withdraw the rejection, and allow the appended claims at an early date.

V. CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims of the present invention, define subject matter patentable over the references cited by the Office and that the application is in condition for allowance. Should the Office believe that anything further is desirable to place the application in better condition for allowance, the Office is invited to contact Applicants' undersigned attorney at the below listed telephone number.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to deposit account number 03-2469. Moreover, if the deposit account contains insufficient funds, the Commissioner is hereby invited to contact Applicant's undersigned representative to arrange payment.

Respectfully submitted,

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